

JUL 30 07 11:38P

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p.1

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Steven J. Miller, Esq.*
Attorney-At-Law

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FAX MESSAGE

TO: COMMISSIONER FOR PATENTS (1-571-273-8300)

DATE: 7/30/07

TIME: 11:40 PM-EDT

FROM: S.J. MILLER, ESQ.

TOTAL NUMBER OF PAGES (INCLUDING COVER SHEET): 18

RE: APPLICATION No. 10/790,571

MESSAGE:

SEE ATTACHED RESPONSE TO NON-FINAL
OFFICE ACTION DATED 1/31/07.

Affidavit
Reg. #48368

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PTO/SB/97 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

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APPLICATION No. 10/790,571

Certificate of Transmission under 37 CFR 1.8

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on July 30, 2007
Date



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Steven J. Miller, Esq.

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Registration Number, if applicable

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Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper. Documents included: (1) Transmittal Form PTO/SB/21; (2) Petition for Extension of Time Under 37 CFR 1.136(a) Form PTO/SB/22; (3) Fee Transmittal Form PTO/SB/17; (4) Credit Card Payment Form PTO-2038; (5) Formal Reply to Non-Final Office Action mailed on January 31, 2007; (6) This Certificate of Transmission Form PTO/SB/97.

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PTO/SB/21 (04-07)

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM	Application Number	10/790,571	
	Filing Date	March 1, 2004	
	First Named Inventor	Philip Corbin III	
	Art Unit	2834	
	Examiner Name	Dang Lo	
Total Number of Pages in This Submission		Attorney Docket Number	Flux 2004-1

ENCLOSURES (Check all that apply)

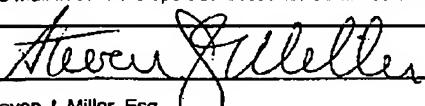
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="text-align: right;">Certificate of Transmission Form PTO/SB/97</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Miller Law Offices, PLC		
Signature			
Printed name	Steven J. Miller, Esq.		
Date	July 30, 2007	Reg. No.	48368

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Steven J. Miller, Esq.	Date	July 30, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (07-07)
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL For FY 2007		Application Number	10/790,571
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	March 1, 2004
		First Named Inventor	Philip Corbin III
		Examiner Name	Dang Le
		Art Unit	2834
TOTAL AMOUNT OF PAYMENT (\$)		Attorney Docket No.	
510.00		Flux 2004-1	

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

under 37 CFR 1.16 and 1.17

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee (\$)
- 20 or HP =	x	=		50	25
HP = highest number of total claims paid for, if greater than 20.				200	100
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	360	180
- 3 or HP =	x	=			
HP = highest number of independent claims paid for, if greater than 3.					

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

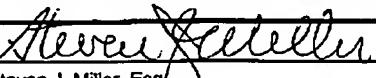
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition for Extension of Time to Respond (3 months)

Fees Paid (\$)

510.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	Telephone 305-803-5168
Name (Print/Type)	Steven J. Miller, Esq.	Date July 30, 2007	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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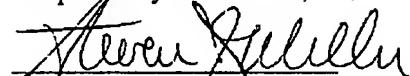
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Serial No. 10/790,571

JUL 30 2007

Date: July 30, 2007

Respectfully Submitted,



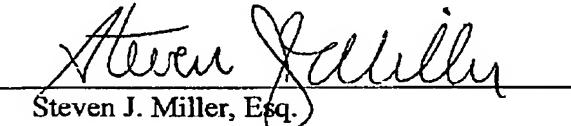
Steven J. Miller, Esq.
USPTO Reg. No. 48368

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Miami, FL 33131

Transmitted via Fax to the USPTO at 571-273-8300

Date of Transmission: July 30, 2007

I hereby certify that this correspondence, including the attachments listed on the accompanying Transmittal, is being transmitted via facsimile machine on the date indicated above and is addressed to Commissioner of Patents.



Steven J. Miller, Esq.